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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,740	02/09/2001	Hendrikus Johannes Joseph Van Soest	0142-0346P	5867

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EXAMINER

CHAU, MINH H

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/779,740		<b>Applicant(s)</b> VAN SOEST ET AL.	
	<b>Examiner</b> Minh H Chau		<b>Art Unit</b> 2854	

**-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 18 June 2003.

2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1, 2, 4, 5 and 7 is/are rejected.

7) ☒ Claim(s) 3, 6 and 8-10 is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 5 and 7** are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (JP 08-156351).

**With respect to claim 1**, Sato teaches an inkjet printer comprises an ink application mechanism (18) for applying an ink image to a strip of receiving material, the ink application mechanism extending in a direction transverse to the direction of advance of the receiving material such that a print range is provided (see Fig. 1), a platen or a carrier mean (10) for keeping the strip in a predetermined position with respect to the ink application mechanism, the platen or carrier means comprising flat surface or a carrier plate for carrying the strip, the plate having channels (21a) (see Figs. 2 and 6) extending in a direction substantially parallel to the direction of advance of the receiving material, the carrier plate is provided with holes (21b) and air displacement means (19) operatively associated with the holes for drawing air via the holes away from the space between the carrier plate and the strip of receiving material lying on the

carrier plate, the holes being provided in the carrier plate in a portion thereof which corresponds to the print range (see Figs. 1-6 and paragraph [0014-0033] of Sato).

**With respect to claim 5**, see Fig. 6 of Sato that show holes (21b) are disposed in ribs which form the channels and lead into the top surface of each rib.

**With respect to claim 7**, see Figs. 2-6 of Sato that shows the holes are extending over the entire length of the carrier plate and the edge zones.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato as applied to claim 1 above.

**With respect to claim 2**, Sato teaches the disclosed invention as mentioned above, except for the recitation of "each channel has a width of between about 15 and 20mm. The selection for a channel to has a specific width between about 15 and 20mm can be determined though obvious routine experimentation since the width for each channel in this range will yield the best result of preventing the media from cockling and sagging.

5. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato as applied to claim 1 above and in view of Teumer et al. (US # 6,179,285).

**With respect to claim 4**, Sato teaches the disclosed invention as mentioned above, except for the recitation of “the holes ... the carrier plate” (lines 1-3).

Teumer et al. teach a printing apparatus comprising a platen or a carrier plate (112) that is provided with holes (114), the holes are situated predominantly an upstream edge of the platen or the carrier plate (see Fig. 1 of Teumer et al.)

In view of this teaching, it would have been obvious to one of ordinary skill in the art to modify the device of Sato to including holes are situated predominantly an upstream edge of the platen or the carrier plate as taught by Teumer et al. to ensure the media being properly hold on the platen before the printing operation carry out.

#### *Allowable Subject Matter*

**6. Claims 3, 6 and 8-10** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Response to Arguments*

**7.** Applicant's arguments with respect to claims 1, 4, 5 and 7 have been considered but are moot in view of the new ground(s) of rejection.

**8.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant's attention is invited to the patents to Hinojosa et al. (US # 6,517,179) and Nomura (JP 09-220837A).

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9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

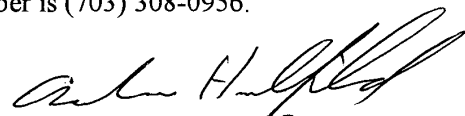
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H Chau whose telephone number is (703) 305-0298. The examiner can normally be reached on M - TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

MHC

  
ANDREW H. HIRSHFELD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800